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# TOKYO GAZETTE

A MONTHLY REPORT OF CURRENT POLICIES,  
OFFICIAL STATEMENTS AND STATISTICS

VOLUME IV

No. 11

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THAI-FRENCH INDO-CHINA BORDER  
DISPUTE AND JAPANESE MEDIATION

*(Board of Information)*

LEGISLATIVE AND BUDGETARY MEASURES  
AS APPROVED BY THE DIET

*(Board of Information)*

TO STRENGTHEN THE NATIONAL  
GENERAL MOBILIZATION LAW

*(Board of Planning)*

TEXTBOOKS FOR THE NATIONAL SCHOOL

*(Department of Education)*

WHAT MEN AT THE FRONT THINK

May, 1941

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The material in the TOKYO GAZETTE is selected mainly from the *Weekly Report*, edited by the same Board. The accuracy and comprehensiveness of data presented in the *Report* are fully established. For the benefit of students of Japanese affairs, the TOKYO GAZETTE is endeavouring to maintain these qualities in the hope that its publication will eliminate unfortunate misunderstandings and thus contribute to world peace and international goodwill.

Printed in Japan

## THAI-FRENCH INDO-CHINA BORDER DISPUTE AND JAPANESE MEDIATION

AN HISTORICAL REVIEW OF THE AFFAIR

BOARD OF INFORMATION

TOWARD the latter part of November, 1940, the border dispute between Thailand and French Indo-China seemed to get worse as it reached the stage of actual fighting; skirmishes had continued along the borders throughout the year. And with the dawn of 1941, violent clashes began to take place between the two opposing forces. Thus, at the Aranya border, according to the communiqué issued by Thailand, two Thai soldiers on police duty and a native were killed while two other soldiers seriously wounded in an attack by French Indo-China troops. On the other hand, the Thai garrison was said to have advanced about thirty kilometres into the French Indo-China territory toward Sisophon. In the meanwhile, the broadcasting stations at Saigon and Bangkok, considered as representing the views of their respective Governments, were reported to have made an exchange of declarations, each party claiming its willingness to enter into peaceful negotiations. Neither party, however, showed any sign of commencing such negotiations.

### Origin of Dispute

The origin of the dispute is old and complicated. In 1862, France by forcing the King of Annam to cede Cochin China established a firm foothold there. In the following year Cambodia was brought under French protection. Then, in 1884, France not only succeeded in compelling Annam to recognize her suzerainty over Tongking but made the Kingdom of Annam itself a French protectorate as well. In this manner France succeeded in establishing a base of activity against China. In the face of these activities on the part of France, Thailand (then Siam) was said to have shown indications of attacking Annam in accordance with her policy of eastward expansion.

Thereupon, in 1893, France occupied that portion of the Thai territory situated east of the Mekong River and acquired from Thailand the right of protection over the district of Laos. Then, in

1904, the district of Luang Prabang, which lies to the west of the Mekong River, was constrained to be recognized formally as French territory. Moreover, in 1907, the districts of Battambang, Siem Reap and Sisophon were exchanged with the coastal region around the Krat harbour. Thus, after several stages of French encroachments upon Thai territory, the fertile valley of Cambodia was finally converted into the possession of French Indo-China.

When France obtained the district of Luang Prabang, it was said that landing parties from the French East Asiatic Squadron disembarked near Bangkok, leaving no choice for Thailand but to surrender and concede. This was only thirty-four years ago; and ever since, the patriotic Thais have been telling their youth not to forget this national disgrace, thereby instilling in them the desire to recover the lost territory.

As a matter of fact, Thailand had succeeded in maintaining her independence by utilizing the balance of power existing between the French pressure exerted through French Indo-China and the British influence coming from Malay Peninsula and Burma. Having carried out governmental reforms particularly since 1932 under the leadership of Prime Minister Pibulsonggram, that country, however, waited for an opportunity of retrieving her lost lands. That opportunity came with the French debacle last June and Thailand was by no means slow to seize it.

### The Question of Restoring the Lost Territory

Although the non-aggression pact between Thailand and France was signed in June, 1940, the former manifested no intention of ratifying it despite that the French Government had pressed repeatedly upon her for its ratification. On September 13, Thai Prime Minister Pibulsonggram announced that his Government would demand France, as a condition to the ratification, that she return to Thailand the islands situated in the Mekong River, which had been under controversy, and that she recognize the change of the boundary line in the region of Laos to the line running along that river.

The French Government, on the other hand, upon receipt of the above demand, finally replied refusing to comply with it. The content of this reply, made public by Thailand on October 11, reads as follows:

The French Government have agreed to establish a border commission and promised to send delegates to Bangkok in accordance with the Thai proposal

concerning the readjustment of the Mekong River boundary. That Government, however, have replied that they find it impossible to assent to the proposal that the border commission be empowered to examine the question of restoration of the territory simultaneously with the question of delimitation of the boundary. The reason is that, as a matter of principle, the French Government cannot recognize the Thai demand for the restoration of the lost territory. Moreover, according to the French Government, the present boundary between Thailand and French Indo-China is the final one, and this fact was endorsed by the treaty of March 23, 1907, by which both parties agreed thenceforth not to raise the question of territory. France was determined, therefore, to defend French Indo-China from attack or demands which might impair its sovereignty, peace and present political status.

Again, on October 21, Thai Prime Minister Pibulsonggram made public his Government's firm policy toward French Indo-China concerning the question of recovery of the lost territory in his radio speech as follows:

Although we wish to see a bloodless solution of the territorial question, we are determined to fight, minimizing, of course, the horrors of war as far as possible, should it be impossible to avoid the conflict. We can not listen to any plan of solution other than the restoration of Luang Prabang and Paksé in the Laos district, and the demarkation of a satisfactory new boundary line along the Mekong River.

The French authorities, on the other hand, had persistently refused the Thailand's demands for the restoration of her lost territory, while concentrating troops along the borders. Thus, the Thai-French relations were gradually assuming threatening proportions. On November 15, the Governor-General of French Indo-China made a statement, for the first time since the beginning of the present border controversy, to the following effect showing a firm attitude on the part of France:

The Thai-French relations are still in a deadlock. The French Government are determined to protect their territory against the Thai demands, and this policy is to remain unchanged. The Thai press is manifesting a very anti-French and aggressive attitude while the Government are gathering troops along the borders. Clashes have occurred along the Laos and Cambodia borders; they are not more than local incidents. The situation has not yet reached the final stage.

Although the borders are calm at present, our military authorities are strictly watching the turn of events and have completed all necessary preparations to meet any conceivable emergency.

### Clash At Last

Unfortunately on November 23, and especially after the 28th,

minor clashes, including aerial raids, took place along the Laos and Cambodia borders. On the 28th the Thai authorities practically closed the borders by prohibiting the passage of French nationals throughout Thailand and by ordering those residing in the border regions as well as those who had been under detention to leave the country within 48 hours. The French Indo-China authorities also closed the same borders, explaining the step as a counter-measure.

At this juncture, the French Minister at Bangkok, M. Charles Lépissier, was recalled to France in the midst of the dispute, and M. Roger Garreau was appointed as *Chargé d'Affaires* in his stead. An embarrassing situation arose, however, when Thailand refused to recognize the latter as the fully accredited *Chargé* of the Vichy Government on the ground that his status as a diplomat was doubtful.

Aerial raids were resorted to by both sides in an increasing frequency, while on land, clashes could not be forestalled, the situation thus developing from bad to worse.

Meanwhile the French colonial authorities, who had been rather passive in their attitude toward the domestic publicity activities concerning the border dispute by merely denying the information emanating from Thailand as a one-sided propaganda, began to show an active interest by reporting, in some measure, the true situation. In this connection, the statement of the French Indo-China authorities, given out on December 11, may be noted to contain the following passage:

The attitude of the French Indo-China authorities toward Thailand has been unchanged. We are willing to negotiate with the latter at any time, although she is taking every opportunity to obstruct it. Nevertheless, it is natural that we take retaliatory measures proportionate to the hostile acts on the part of Thailand. Moreover, should communications between the French Legation at Bangkok and the authorities of French Indo-China be interrupted, the responsibility rests with Thailand since she has been interfering with it.

#### Up to the Mediation Conference

The Japanese Government, being naturally interested in the peace and tranquillity of Greater East Asia and the co-existence and co-prosperity of the peoples of this region, had been taking necessary measures for helping toward the solution of border dispute by peaceful means, as the relations between Thailand and French Indo-China became gradually strained. Accordingly, early in December, 1940, they informally proposed to the French Government through the

French Ambassador at Tokyo, M. Charles Arsène-Henry, that they were prepared to mediate for the settlement of the dispute.

Despite these efforts, the hostilities between the two countries were becoming more violent and wider in scale. Thereupon, the Foreign Minister, Mr. Yosuke Matsuoka, made a proposal in behalf of the Japanese Government, on January 20, to the Governments of France and Thailand regarding an immediate cessation of the hostilities and a mediation of the dispute. The parties to the dispute accepted the proposal four days later, and they ceased fighting at 10 a.m. on January 28.

The armistice negotiations began on the following day aboard a Japanese warship on the high seas off Saigon. An agreement was reached at 6 p.m. (8 p.m. Tokyo Time) on January 31, and the Thai and French Indo-China plenipotentiaries and the Japanese delegates, respectively, signed the agreement. This armistice agreement contained the following points:

(1) The armed forces of the parties to the dispute were to withdraw ten kilometers from the points held at 10 a.m. on January 28. Lines were clearly marked out, to which the respective forces were to withdraw.

(2) A line was drawn in the Gulf of Thai within which the respective naval ships were to be confined.

(3) The representatives of the Japanese Government who have signed the armistice agreement were to watch over the execution of the provisions of the agreement, the parties promising to give all facilities necessary for the purpose.

#### Opening of the Tokyo Conference

In accordance with the aforementioned Japanese proposal, the mediation conference for the settlement of the border dispute between Thailand and French Indo-China was opened in Tokyo at the official residence of the Prime Minister. At the first plenary session held on February 7, Foreign Minister Yosuke Matsuoka, the chief Japanese delegate, expressed an earnest desire of his Government to bring the conference to a successful conclusion by stating as follows:

Now that we have entered upon the task of mediation, it will readily be appreciated that the Japanese Government are prepared to endeavour to bring about a settlement of the dispute with determination and responsibility.

French and Thai chief delegates, M. Charles Arsène-Henry and H. H. Prince Vanvaidyakara Varavarn, expressed their gratitude for the good offices of the Japanese Government and hoped for a speedy settlement of the affair.

On the next day, the first informal meeting was held at the official residence of the Foreign Minister, and the second informal meeting followed on the 9th. At these meetings views were exchanged on concrete matters; however, they made evident that further meetings of similar nature would not serve the purpose. Since then, conversations between representatives had been carried on individually.

As the conference could not be expected to come to a conclusion by noon of February 11, when the agreement for the cessation of hostilities was to expire, it was announced on the 10th that its validity was to be extended for another two weeks, until noon, February 25.

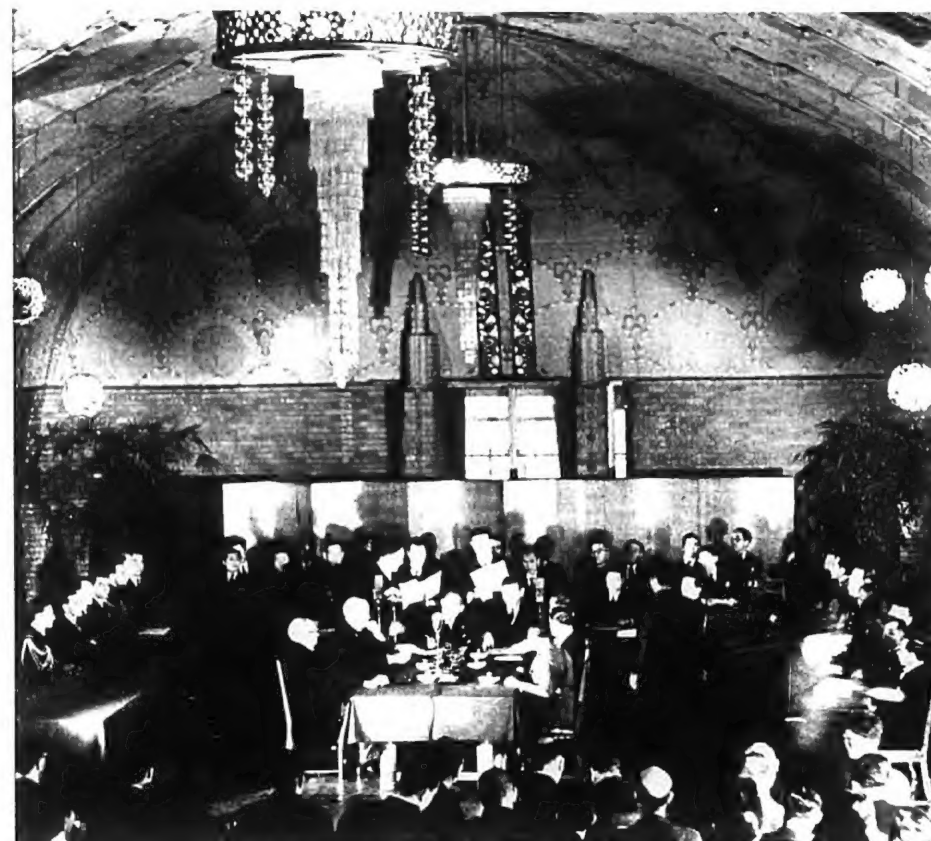
After separate negotiations between the mediators and the Thai and French delegates, the third informal meeting was held. There being still some differences in the respective claims of the parties to the dispute, separate negotiations were further continued after the 18th. In view of the fact that the period of cessation of hostilities which was to expire on February 25 was found to be entirely too short, the Japanese Government requested the French and Thai delegates, on February 23, to prolong the period for ten more days—until noon, March 7, which request was accepted by both parties.

Then the fourth informal meeting was convened on the 24th, when the Japanese Government presented the final proposal of mediation and requested the parties to send their replies by the 28th.

The Thai delegation immediately replied accepting the Japanese plan of mediation. The French delegation, however, though agreeing to the principal points, could not accept the matters of detail in the plan, and their reply was not forthcoming on the 28th as requested. The Japanese Government pressed for the reply on February 28, March 2 and again on the 4th, but no satisfactory reply was obtained. In the meantime, the French delegation presented on several occasions compromise plans in accordance with instructions from the Government at Vichy. And thus Japanese-French negotiations dragged on until March 6, a day before expiry of the agreement for the cessation of hostilities.

#### Agreement on Principal Points

Finally, at 11 a. m. on March 6, the French Ambassador, M. Charles Arsène-Henry, handed his Government's reply to the Japanese Foreign Minister, in which the French Government accepted in principle the final plan of mediation which had been proposed



FOR PEACE BETWEEN THAILAND AND FRENCH INDO-CHINA

Mr. Yosuke Matsuoka, Japan's Foreign Minister, initialling the agreement settling the border dispute between Thailand and French Indo-China, on March 11, 1941. At his right sit the French delegates and at his left the Thai representatives.



previously by the Japanese Government, only a few points of detail remaining for further negotiations. Thereupon, a joint communiqué by Japan, France and Thailand was issued, which reads as follows :

The mediation plan presented by the Japanese Government has been agreed to by both French and Thai Governments on the principal points, and the remaining points of detail are likely to be settled within a few days.

An attempt was accordingly made to forestall in time the revival of the dispute in question as well as to prevent the interference of third Powers. And separate negotiations were carried on in rapid succession from the morning of March 7 concerning the remaining points of detail. Instructions from their respective Governments were asked for by both the Thai and French delegations, and the final goal was near at hand.

#### Conclusion of the Mediation

The Tokyo Mediation Conference drew to its close on March 11, when the final meeting of the formal conference was opened at 4 p. m. with the Japanese delegation participating. At this meeting the plenipotentiaries of both Thailand and French Indo-China accepted and signed the terms of mediation. Simultaneously letters were exchanged between Japan on one hand and France and Thailand on the other, whereby the Powers concerned declared that agreements were to be made subsequently with respect to the maintenance of peace in Greater East Asia and the establishment and promotion of the specially closer relations between Japan and Thailand and between Japan and French Indo-China. Thus the dispute was completely settled by the Japanese mediation 33 days after the formal opening of the conference on February 7. It is expected that hereafter the friendly relations between Japan on one hand and Thailand and French Indo-China on the other will be further promoted. A significant meaning is thereby found in the fact that an imperishable record was written into the pages of diplomatic history with Japan as the leader of East Asia.

#### The Terms of Mediation

The terms of mediation are found in the joint communiqué by Japan, France and Thailand which was made public at the conclusion of the final session of the mediation conference. It reads as follows :



Upper: The Thai delegates to the Mediation Conference held in Tokyo to restore peace between Thailand and French Indo-China, as they arrived by air at Haneda Airport, Tokyo, on February 5. Lower: The Foreign Minister, Mr. Yosuke Matsuoka smiles over the handshake between the French Ambassador, M. Charles Arsene-Henry (left) and the Thai delegate, Prince Vanvaidyakara Varavarn at the successful conclusion of the mediation.

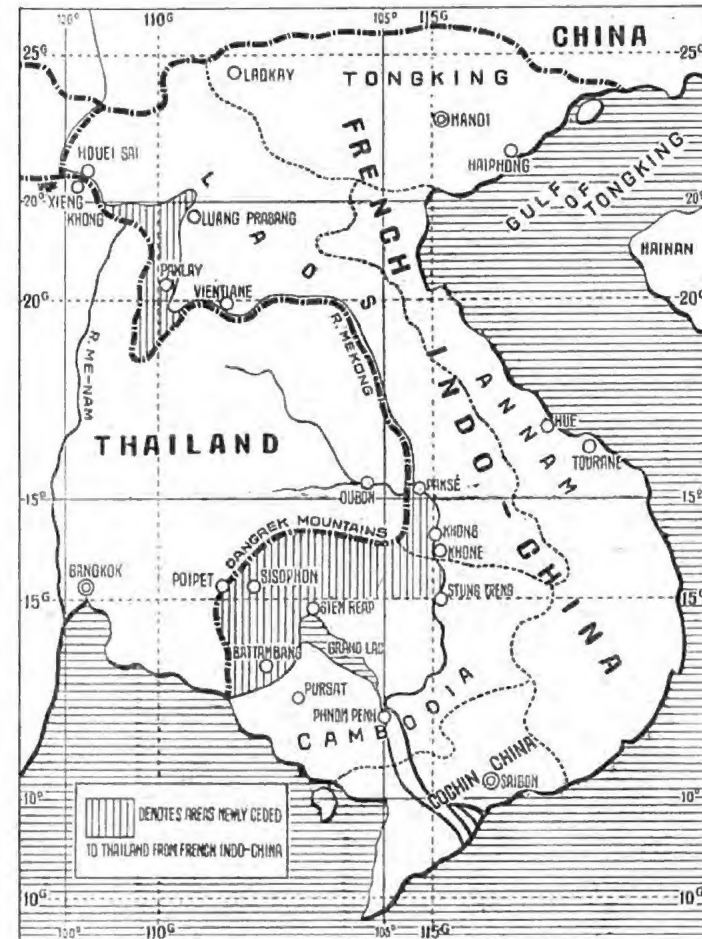
Since the Mediation Conference for the settlement of the Thai-French Indo-China border dispute was opened in Tokyo with its first formal session held on February 7, three informal meetings have been held besides daily individual conversations, in which the Mediators have steadily exercised their good offices to bring about an agreement of views between the two countries concerned. As the result of these endeavours it became clear that an agreement could in all probability be reached. The Mediators, therefore, presented a plan of mediation at the fourth informal meeting, held on the 24th of the same month, following which they have continued to persuade the two parties concerned to accept that plan. The Governments of France and Thailand have accepted it with some modifications and have initialled the terms of mediation at 4:00 o'clock this afternoon (March 11).

The essential points of the mediation terms are as follows:

1. France cedes to Thailand the district of Paklay, which is mentioned in Article II of the Convention between France and Siam of February 13, 1904, and the region lying to the north of the boundary line between the Provinces of Battambang and Pursat and the region lying on the right bank of the Mekong River bounded in south by the line running northward along the Longitude from the point touching Grand Lac and the southernmost end of the boundary line between the Provinces of Siem Reap and Battambang to the crossing point of that Longitude and the line of the 15th degree G of the Latitude<sup>1</sup> and then eastward along that line of the Latitude to the Mekong River. However, a small area lying opposite to Stung Treng is reserved to French Indo-China.
2. All of the above-mentioned ceded territories are to be made demilitarized zones, and French nationals and the people of French Indo-China are to enjoy an absolutely equal treatment with nationals of Thailand throughout these areas with respect to entry, domicile and occupations and their pursuit.
3. The Government of Thailand will respect the mausolea of the Luang Prabang Royal House situated in the triangular zone lying opposite to Luang Prabang, and afford facilities for its preservation and worship, etc.
4. The Mekong frontier will be fixed in accordance with the principle of the deep-water channel, but the two islands, namely, Khong and Khone, will, under the sovereignty of Thailand, be jointly administered by France and Thailand, and the existing French establishments on the islands shall belong to France.

In signing the above-mentioned terms of mediation, letters were exchanged between Japan and France and between Japan and Thailand, which have clarified to the effect that Japan guarantees the definitive nature of the settlement of the dispute by the aforementioned terms of mediation and that agreements will subsequently be made with respect to the maintenance of peace in Greater East Asia and the establishment and promotion of the specially closer relations between Japan and Thailand and between Japan and French Indo-China.

<sup>1</sup> The term "15th degree G of the Latitude" does not mean 15th degree of North Latitude. It is a special geographical term used in France which is really equivalent to about 13.4 degrees North Latitude.



Map Showing the Areas Ceded to Thailand from French Indo-China as the Result of the Japanese Mediation



The friendly and peaceful relations between France and Thailand will thereby be restored and the bond of friendship that binds Japan, France and Thailand will further be strengthened.

### General Description of Ceded Territories

It may be pertinent, in this connection, to give a general description of the districts to be ceded by French Indo-China to Thailand.

#### Luang Prabang District

This district lies to the north-west of Laos and on the right bank of the Mekong River which flows through Luang Prabang and Paklay. It is a part of the Kingdom of Luang Prabang. In contrast to such names as Annam and Cambodia which form nations, Laos is a mere geographical name for the district bounded by Annam, Cambodia, Thailand, Burma and Yunnan. In this district many native kingdoms exist, Luang Prabang being one of them. France had brought this native kingdom under her protection by treaty.

The district to be restored to Thailand is that portion of territory the suzerainty whereof was transferred to France by the treaty of 1904. The mountain range with its highest peak reaching 2100 metres, which forms the watershed for the Mekong and Me-nam Rivers, runs through the district, thus forming a high plateau about 500 metres above sea level. Here, the rainy season comes in June and July, and the dense forest produces teak-wood of excellent quality. Coal is also produced in the north. Elephants are found in large numbers as it is readily seen by the fact that a head tax is levied on them as a local tax.

Throughout this district are found virgin forests; communication facilities are, therefore, much to be desired. The whole district awaits development as it is estimated that there lie rich mineral deposits, to which France has not paid much attention. The district around the bend of the Mekong River, opposite the district of Luang Prabang, contains the mausolea of the royal house of Luang Prabang. For this reason France was not disposed to cede the territory to Thailand.

#### Paksé District

This district lies on the right bank of the Mekong River, facing the town of Paksé, which is to the south-west of Laos. The land surface here is generally flat, a part of which is densely forested. A large percentage of the land consists of untitled plains, and only a small portion of it is cultivated. This district also had been ceded to France by

the treaty of 1904. Its inhabitants principally belong to the Thai race while some Cambodians are found in the south. The territory is sparsely populated. The plains are utilized for the pasturing of horses and cattle, their hides constituting the principal product. Some cotton, tobacco and hemp are also produced. Although both the climate and rainfall are well suited for the cultivation of cotton, the region awaits development for lack not only of sufficient labor due to the sparsity of population but also of efforts to produce the improved varieties.

#### Northern Cambodia

From the 9th to the 16th century the Kingdom of Khmer flourished in this region. It is well known that the trace of this civilization is found even at present in the ruins of Angkor. Cambodia of the present is the vestige of this ancient Kingdom of Khmer. The conflict between France and Thailand over the suzerainty of the Kingdom of Cambodia was an extended affair until 1884, when it was completely placed under French protection by treaty. And even though the King of Cambodia and his Government are found today at Phnom Penh, the capital, their existence is no more than a matter of formality.

The districts of Battambang and Siem Reap in Western Cambodia are treated geographically as a part of Cambodia; however, the political conditions of these districts differ from the other parts of Cambodia inasmuch as they were ceded outright by Thailand to France by the treaty of 1907.

The district now ceded to Thailand is principally inhabited by Cambodians. Heretofore, the Dangrek mountains, in large part, have formed a natural boundary line between Thailand and French Indo-China, although some points on the boundary are said to be unclear. Since, under the present plan, a line is to be drawn afresh on the map without regard to the natural boundaries, the work of demarcating the new boundary is expected to require no small efforts.

#### Province of Battambang

This region was once conquered by Thailand and had been incorporated into the Kingdom until it was ceded to France in 1907. The Province is inhabited, among others, by about 300,000 Cambodians. Beautiful paddy-fields are seen in the central district, although a large part of the land is still untitled. Battambang is famous for its valuable stones. Noted also are

buffalos which are seen in large numbers in the plains, while the district provides ample opportunities for industrial activities. A part of the Province faces Grand Lac, and for this reason it is considered to be of great military importance.

#### Islands in the Mekong River

Since the right bank of the Mekong River constituted the boundary between French Indo-China and Thailand, the islands naturally belonged to France. By the new agreement the Mekong River frontier has been fixed in accordance with the international law providing for the principle of "the deep-water channel," whereby many islands are to revert to the possession of Thailand.

The islands of Khong and Khone, situated in the south-east of the Paksé district, however, are to be jointly administered by France and Thailand under the sovereignty of the latter. The island of Khong, which contains a population of 10,000 people, is cultivated extensively, producing tobacco and hemp.

#### Exchange of Letters

The letters concerning the maintenance of peace in Greater East Asia, exchanged between Japan and France and between Japan and Thailand at the final session of the mediation conference held on March 11, were made public on the following day.

In his letter to French Ambassador Charles Arsène-Henry, Foreign Minister Yosuke Matsuoka states as follows:

The Japanese Government are prepared, upon its acceptance by the French Government, to guarantee to the Government of France that the settlement of the said dispute through the mediation plan submitted by them will be definitive and irrevocable.

The Japanese Government, on the other hand, entertain no doubt that the Government of France, on their part, will endeavour for the maintenance of peace in Greater East Asia and especially for the establishment of good-neighbourly and amicable relations between Japan and French Indo-China, as well as for the promotion of closer economic relations between Japan and French Indo-China, and that they will declare to the Japanese Government that they will not enter into any agreement or understanding with a third Power or Powers regarding French Indo-China, envisaging political, economic or military cooperation aimed either directly or indirectly against Japan.

The French Ambassador's letter in reply addressed to the Japanese Foreign Minister contains the following passage:

The Government of France hereby declare that they have no intention of entering into any agreement or understanding with a third Power or Powers

regarding French Indo-China, envisaging political, economic or military cooperation aimed either directly or indirectly against Japan. Moreover, it is expected by the Government of France that the Government of Japan will assure the strict observance of the agreement of the 30th of August, 1940, and the subsequent military arrangements.

The Japanese Foreign Minister's letter to H. H. Prince Vanvaidyakara Varavarn is similar in nature to one sent to the French Ambassador. The Government of Thailand, in turn, have declared to the effect that they have no intention of entering into any agreement or understanding with a third Power or Powers, envisaging political, economic or military cooperation aimed either directly or indirectly against Japan, expecting, on the other hand, that the Government of Japan will assure the strict observance of the treaty of amity of June 12, 1940. At the same time, it has been made clear by all the parties concerned that the aforementioned guarantee by the Japanese Government and the declarations of the French and Thai Governments shall be confirmed by formal documents simultaneously with the conclusion of the treaty for the settlement of the dispute.

Repercussions created throughout the world by this successful conclusion of the Japanese mediation vary widely according to the viewpoints of those interested. One thing is certain, however, that Japan's leadership in Greater East Asia has now been fully established along with the idea of the sphere of common prosperity throughout that region, which is emerging today as a happy reality.

## LEGISLATIVE AND BUDGETARY MEASURES AS APPROVED BY THE 76TH DIET

BOARD OF INFORMATION

REFLECTING the full determination of the Japanese nation to face any serious developments in the international situation, the 76th session of the Imperial Diet<sup>1</sup> was truly unprecedented in its united support of the Government as well as in its business efficiency. The attitude of sincere cooperation on the part of Both Houses was already manifest prior to the resumption of the session after the new-year recess, which is by custom the real beginning of the legislative activities of the session. Following an informal conference attended by the representatives of Both Houses which was held a few days before the resumption under Government auspices, and at which the Government confidentially gave information regarding the truth of the situation, the members of the two Houses met to decide on the best and most rational means of cooperating with the Government in the current national crisis. The result was that many general interpellations were given up and the proceedings were expedited—in the House of Representatives in particular, by general consent, no interpellation was made at the plenary sessions.

In response to this attitude on the part of Both Houses, the Government refrained from proposing non-urgent bills. Thus the budgetary measures authorizing the 1941-42 budgets amounting to 13,800,000,000 yen, including that for the Emergency Military Expenditures, along with 87 legislative and 8 other measures, were approved by the end of February, and Both Houses practically adjourned until March 25 when the 76th session was closed.

Of these many laws enacted at the recent session the most outstanding naturally have been the wartime measures, which include the National Defence Security Law and the Law for Revising the National General Mobilization Law. There are not, however, lacking Laws having intrinsic value, in addition to being wartime measures, as essential social legislation, such as the House Owners Associations Law, the Housing Corporation Law, the Medical Protection Law and the Workmen's Annuity Insurance Law. Mention must be made also of the revision of the Law for the Maintenance of Public Peace, which is not essentially a wartime measure but is an

<sup>1</sup> It was in session from December 24, 1940, to March 25, 1941.

## LEGISLATIVE & BUDGETARY MEASURES AS APPROVED 445

important legislative step for safeguarding the home front with reference particularly to the people's ideological life. Since, however, some of them have already been reviewed in previous issues of this publication and others are explained elsewhere in the present issue, or will be taken up in future issues, explanation in this article will be confined to budgetary measures.

### General Account

The budget estimates for the General Account as approved are balanced as follows:

	(In yen)
Main budget .....	6,863,261,000
Supplementary budget No. 1 .....	1,131,849,000
Total .....	7,995,110,000

As compared with the budget for the previous year, amounting to 6,173,769,000 yen, this is larger by 1,821,340,000 yen. Such a trend of enormous increase, particularly in recent years, is clearly shown in the subjoined table and the chart printed elsewhere.

### REVENUES AND EXPENDITURES FOR FISCAL YEARS, 1926-27 TO 1941-42

Year	Revenue (Million yen)	Expenditure (Million yen)
1926-27 .....	2,056	1,578
1927-28 .....	2,062	1,765
1928-29 .....	2,005	1,814
1929-30 .....	1,826	1,736
1930-31 .....	1,596	1,557
1931-32 .....	1,531	1,476
1932-33 .....	2,045	1,950
1933-34 .....	2,331	2,254
1934-35 .....	2,246	2,163
1935-36 .....	2,259	2,206
1936-37 .....	2,372	2,282
1937-38 .....	2,914	2,709
1938-39 .....	3,594	3,288
1939-40 .....	4,969	4,493
1940-41 .....	6,116	6,173
(estimated)		
1941-42 .....	7,995	7,995
(estimated)		

The estimated revenue for the General Account, which forms the most important basis for a correct appraisal of our wartime finances, is itemized as follows:

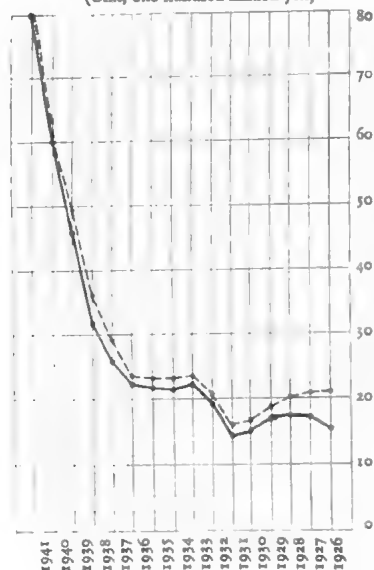
	(Thousand yen)
Taxes.....	3,690,600
Stamp duties .....	142,352
Proceeds from Government enterprises and properties.....	515,671
Funds contributed by or transferred from Special Accounts .....	397,189
Bonds.....	3,003,950
Surplus brought over from previous year.....	80,498
Others .....	164,847
Total .....	7,995,110

As is seen in the above table, the receipts from taxes cover 46.2 per cent of the total revenue, while those from bond issues take up 37.6 per cent. It is reassuring to note that the increase in the estimated tax receipts amounts to 526,252,000 yen, which comprises the increases of 90,784,000 yen from taxation reform and of 434,467,000 yen representing natural increases from other sources.

In the receipts from bond issues, on the other hand, the estimated increase is seen to be 1,097,408,000 yen. However, as the estimated receipts from this source for Special Accounts, including that for

ESTIMATED REVENUES AND EXPENDITURES  
FOR FISCAL YEARS 1926-27 TO 1941-2

..... Revenue — Expenditure  
(Unit, one hundred million yen)



Emergency Military Expenditures, are decreased by 547,085,000 yen, the total receipts from bond issues for both General and Special Accounts, which are estimated to be 7,574,948,000 yen, represent an increase of only 550,323,000 yen. The estimated expenditure for the General Account classified by Departments, in which appropriations for wartime measures predominate, is shown below:

	(In yen)
Imperial Household ...	4,100,000
Foreign Affairs .....	77,807,479
Home Affairs .....	611,473,900
Finance .....	2,413,066,239
War .....	1,700,394,957
Navy .....	1,549,985,796
Justice .....	62,833,105
Education .....	266,651,065
Agriculture and Forestry .....	305,433,300
Commerce and Industry .....	247,229,680
Communications .....	483,059,223
Overseas Affairs.....	85,458,936
Welfare .....	187,216,949
Total .....	7,995,110,633

### War Estimates

With regard to the war estimates for the current fiscal year, they are approved technically as the fourth and the fifth supplementary budgets for Emergency Military Expenditures, amounting to 1,000,000,000 yen and 4,880,000,000 yen, respectively, and totalling 5,880,000,000 yen. Accordingly, when the General and Emergency Military budgets are taken together, it brings the grand total up to 12,875,110,000 yen. As this amount, however, includes a transit account of 670,000,000 yen, which is to be transferred from the General Account to the Emergency Military Account, the net total of 1941-42 estimates is 12,205,110,000 yen. And the total estimates for Emergency Military Expenditures, authorized up to date reach a huge amount of 22,335,077,000 yen, to which expenditures of the previous wars engaged in by our country cannot be compared. These are given below for reference:

#### EXPENDITURES OF FOUR WARS ENGAGED IN BY JAPAN

	(Thousand yen)
Sino-Japanese War (1894-1895) .....	200,475
Russo-Japanese War (1904-1905) .....	1,508,472
First European War .....	881,661
Manchurian Affair .....	1,931,250

Besides the aforementioned Special Account and that related to the Emergency fund for war materials, there are 47 Special Accounts, the budget estimates for which total 25,163,685,000 yen. This enormous amount, covering the estimates for Overseas Governments as well as for Government enterprises, though insufficient in itself as the basis for appraisal of our economic strength, can certainly be taken as an important factor in the financial structure of the country.

## TO STRENGTHEN THE NATIONAL GENERAL MOBILIZATION LAW

BOARD OF PLANNING

### I

AS the hostilities in China extended and assumed new phases, the relevant provisions of the National General Mobilization Law have been invoked. The result is that more than 50 Imperial Ordinances based thereon have been enacted since the enforcement of the legislation in May, 1938. Except for the control of materials, which is mostly effected under the Law Concerning Temporary Measures on Exports and Imports, all measures for economic control, ranging from those for calling the civilians to national services to those for controlling prices and wages, have been successfully carried out under this basic legislative control. Such steps have contributed in no small degree toward the establishment of the national structure and stand for general mobilization. The fact cannot be ignored, however, that recent developments in the domestic and international affairs have, in many cases, given rise to complex and unexpected situations calling for adjustments in coping with new circumstances. And these factors have made it vitally urgent in supplementing the law with new provisions. In fact, the present law was not drafted for meeting the particular need of the current emergency, but enacted in 1938 as a result of 10 years of study and investigation by the Resources Bureau.<sup>1</sup> It is natural, therefore, that the unprecedented international crisis Japan is facing today cannot be overcome without making necessary adjustments and strengthening the Law.

Revisions in the Law effected at the 76th Diet are intended not only to meet these demands but also to prepare for any exigencies that may arise in the future. Essential points of the revisions can be summarized as follows:

1. Provisions for the control of labour are strengthened with a view to rationalizing the distribution of labour and to giving full play to its efficiency.
2. The range of materials and goods covered by the control measures are enlarged, their application being extended not only to the "mobilization goods" but also to all materials as occasions demand.

<sup>1</sup> It was the predecessor of the Board of Planning.

3. The provisions for banking control are strengthened in order to prepare for emergencies by facilitating the supply of funds to essential industries.

4. Ways are opened for fully utilizing the technique, materials, property, equipment, etc. now available for the spheres deemed most urgently in need.

5. The basic provisions for industrial control are properly arranged for the purpose of establishing essential industries and ensuring their high efficiency, as well as for that of the planned operation of national defence economy by the united efforts of the Government and people.

6. The provisions for control of prices are enlarged so as to cover those heretofore remaining outside the control, thus ensuring the most effective operation of price policy.

7. The penal provisions are revised so as to enable the Government to deal severely with the violations of the economic control provisions which are of serious nature and on a large scale, thereby deterring such infractions.

### Details of Revisions

In order to clarify the true significance not only of the revisions but also of the legislation as a whole, particularly in relation to the current emergency, details of the revisions must be viewed in all their implications. In the pages to follow the Articles affected by the revisions are explained in detail.

ARTICLE 5: *If it is necessary for the purpose of national general mobilization in time of war, the Government may, as prescribed by Imperial Ordinance, cause Japanese subjects, juristic persons under the Japanese law or any other organization to cooperate with the general-mobilization undertakings to be conducted by the State or by local public bodies or by any person designated by the Government.*<sup>2</sup>

Whereas the old provisions authorized the Government to order Japanese subjects, juristic persons and other organizations to cooperate with the State or local public bodies in what is known as the "general-mobilization" undertakings, the revised provisions do not confine the beneficiaries of such cooperation to the State and local public bodies, but enlarge the eligibility to include private individuals and organizations engaged in the general-mobilization undertakings. It may be relevant to explain in this connection, what the general-

<sup>2</sup> Underlines indicate where revisions are made.



mobilization undertakings are. The National General Mobilization Law defines them as follows:

ARTICLE 3: *The general-mobilization undertakings mentioned in the present law mean the following:*

- (1) *Undertakings relating to production, repair, distribution, export, import or custody of general-mobilization materials and goods;*
- (2) *Undertakings relating to transportation or communications necessary for national general mobilization;*
- (3) *Undertakings relating to financing necessary for national general mobilization;*
- (4) *Undertakings relating to public health, veterinary hygiene, or relief necessary for national general mobilization;*
- (5) *Undertakings relating to education and training necessary for national general mobilization;*
- (6) *Undertakings relating to experiments and researches necessary for national general mobilization;*
- (7) *Undertakings relating to information, propaganda or enlightenment necessary for national general mobilization;*
- (8) *Undertakings relating to policing necessary for national general mobilization;*
- (9) *Undertakings other than those mentioned in the preceding numbers and to be specified by Imperial Ordinance as necessary for national general mobilization.*

As enumerated in the Article the general-mobilization undertakings cover a wide range. Among them are two categories of undertakings: one taken up mostly by the State and local public bodies, such as public health, relief and policing; and the other taken up mainly by private individuals and organizations, such as the production, repair and distribution of general-mobilization goods and materials. When quantitatively viewed, the latter type is more extensive than the former. The new provisions enable these persons and organizations to obtain necessary cooperation by order of the Government. In cases, for instance, where a plant producing war materials falls short of the desired standard of efficiency, despite the management's best efforts, the Government may order other plants efficiently engaged in an undertaking of the same kind to cooperate with the former in giving technical and managerial guidance and assistance. This measure, functioning likewise in conjunction with the granting of rights to use patents on inventions or registered utility models to private individuals and organizations engaged in mobilization undertakings, which will be explained later, will greatly contribute toward

augmenting productive capacity by enabling them to mutually assist in the utilization of superior technique. In all these cases, the extent and manner of the compensation for the use thereof will be concretely prescribed by Imperial Ordinance.

### Control of Individual Workers

ARTICLE 6: *If it is necessary for the purpose of national general mobilization in time of war, the Government may, as prescribed by Imperial Ordinance, give necessary orders with respect to the use, employment or dismissal of workers, or the obtaining employment, engaging in work or retirement by workers; or with respect to wages, salaries and other conditions of work.*

The old provisions of this article played an important part in controlling labour, and formed the legal basis for the enforcement of the Ordinance Restricting Employment of School Graduates, the Ordinance Restricting Employment of Young and Juvenile Workers, the Ordinance Preventing Shifts of Employment, and the Ordinance Pertaining to Control of Wages. However, these control measures were applicable only to employers and did not directly affect the actions of workers themselves. Thus they left loopholes in the execution of labour policies, and in many cases hindered desired increase in production. The same difficulty also attended the control of wages. Whereas the old provisions were effective in adjusting the wages of workers, the salaries of employees other than working men, being outside the categories of the prescribed working conditions, were not placed under control. It is true that they were controlled by the Ordinance for Control of Corporation Account and Financing based on Article 11 of the present Law; salaried employees engaged at establishments other than corporations, however, were exempt from such control.

The revision, therefore, has provided for the necessary orders to be issued directly to employees themselves in respect of their obtaining employment, engaging in work or retirement. This provision, along with the newly enacted Law Concerning the Labour Pocket-Book, will ensure just and equitable distribution of labour.

In respect of salaries, not only corporation employees but those of other organizations and establishments are now also placed under adequate control. "Other conditions of work" here referred to mean such terms as working hours, etc. With regard to the directors of corporations, who are executives of those organizations, they cannot be regarded as employees, and as such they are outside the purview of

Article 6. Their remunerations, however, are controlled by the Ordinance for Control of Corporation Account and Financing. All employees by contract, even those who are temporarily employed, come under the provisions of the present Article.

#### Control of Materials

ARTICLE 8: *If it is necessary for the purpose of national general mobilization in time of war, the Government may, as prescribed by Imperial Ordinance, give necessary orders with respect to production, repair, distribution, transfer and other ways of disposal, use, consumption, possession and removal of materials and goods.*

As the basic provisions for control of materials and goods, the Ordinance for Regulation of Electric Power, the Ordinance for Control of Land Transportation, the Ordinance for Control of Maritime Transportation, the Ordinance for Control of Distribution, etc. of Imported Raw Materials for Manufacturing Iron and the Ordinance Concerning Temporary Measures for Regulating Agricultural Water-utilization have been invoked by virtue of Article 8. At present, however, somewhat similar provisions are in force under the Law Concerning Temporary Measures on Exports and Imports for controlling materials. Accordingly, while Article 8 appears to be extensive in scope, few Imperial Ordinances, except those enumerated above, have been enacted under the said Article. In the future, it will be the Government's policy to invoke the general mobilization provisions, instead of relying upon the said temporary measures. So it is likely that a considerable number of Ordinances will come into existence. In such cases, however, it would have been inadequate to restrict the objects of control only to the general-mobilization materials and goods, as authorized by the old provisions. The general-mobilization materials and goods as provided in Article 2 of the present Law, though covering a wide range, include mainly war materials and the necessities of life as well as raw and other materials, machinery and apparatus essential for their production, repairs and distribution. When the Law was drafted three years ago, materials and goods other than above referred to were non-urgent goods which it was unnecessary to place under direct control. If necessity arose, it was then thought, they could be controlled indirectly through the control of funds and labour. Experience in the past, however, has made the Government feel the need for their direct control, and thus the present revision has been effected.

#### Use and Expropriation

ARTICLE 10: *If it is necessary for the purpose of national general mobilization in time of war, the Government may, as prescribed by Imperial Ordinance, use or expropriate, or cause those who are engaged in general-mobilization undertakings to use or expropriate, materials and goods for general mobilization.*

ARTICLE 13: *If it is necessary for the purpose of national general mobilization in time of war, the Government may, as prescribed by Imperial Ordinance, control, use or expropriate the whole or part of the factories, workshops, ships, and other facilities, belonging to the general-mobilization undertakings, or any facility which may be used therefor.*

*In case any object mentioned in the preceding paragraph is to be used or expropriated, the Government may, as prescribed by Imperial Ordinance, cause the employers thereof to offer their worker's service, or use the patented inventions or registered utility models at present used for such facilities.*

*If it is necessary for the purpose of national general mobilization in time of war, the Government may, as prescribed by Imperial Ordinance, control, use or expropriate, or cause those who are engaged in general-mobilization undertakings to use or expropriate land or houses and other structures necessary for general mobilization undertakings.*

ARTICLE 14: *If it is necessary for the purpose of national general mobilization in time of war, the Government may, as prescribed by Imperial Ordinance, use or expropriate mining rights, placer mining rights and rights to the use of water, or cause those who are engaged in general-mobilization undertakings to use the patented inventions and registered utility models or to use mining rights, placer mining rights and rights to the use of water.*

According to the revised provisions of these Articles the private interests engaged in national-mobilization undertakings are authorized, when necessary for mobilization purposes in time of war, to use or expropriate land, houses or other structures; and to use or expropriate the rights to mining, placer mining, or use of water, all of which rights were exercised by the Government pursuant to the old provisions. Needless to say, the private interests, in exercising these rights, must pay adequate compensation to the property owners or to the persons rightfully entitled.

The revisions became necessary because the expansion of productive capacity, which is one of the basic requirements for the establishment of the highly organized State structure for national defence, depends, to a large extent, on the activities of the private interests.

With regard to the general-mobilization materials and goods,

which are movables in nature, their expropriation is rarely necessary; in nearly all cases they can be obtained by purchase. The current emergency, however, might bring about such circumstances where this compulsory measure for such steps might be required; hence the revision of Article 10 has been effected. On the other hand, immovables such as land, houses and other structures differ in this respect. Frequently cases may arise where suitable land and houses to be used as plants for producing general-mobilization goods cannot be found. In such cases the revised provisions of Article 13 will be effectively invoked.

The granting of the rights to the private interests to use patents and registered utility models through the revision of Article 14 is an important emergency measure for enabling them to utilize superior technique for the improvement of their productive efficiency. However, this measure may not prove effective sometimes without due guidance and assistance as to the methods of using the rights effectively. The provisions of Article 5, previously referred to, will enable them to obtain such cooperation. The granting of the use of mining and placer-mining rights and the right to use water is also an important revision to effect the best utilization of these rights in the interests of the nation in time of war.

In granting these important rights to the private individuals and organizations, these provisions must be put into operation with the utmost care. Accordingly all concrete steps for the operation will be prescribed by Imperial Ordinance. Article 27, which contains provisions relating to compensation for losses, has also been revised in this connection.

## TEXTBOOKS FOR THE NATIONAL SCHOOL

DEPARTMENT OF EDUCATION

THE new system of primary education, namely the reorganization of primary schools into national schools, was put into operation in April this year. The task set before the Bureau of Books, Department of Education, to decide what textbooks to prepare for this epoch-making reform in national education was a difficult one. In order to embody the spirit of the new system in schoolbooks, the authorities, since the year before last, had studied the report of the Educational Council and other data, while investigating the actual conditions of education. In the spring of last year they sought the opinions of the authorities on pedagogy, critics of educational affairs and leading educationalists; and after careful deliberation formulated general principles on which to carry out the work of compilation.

### Entirely New Textbooks

The new schoolbooks are so compiled as to realize the spirit and ideals embodied in the Imperial Ordinance Pertaining to the National School Law. What is deemed necessary for the basic training of the rising generation as Japanese subjects, in accordance with the principles on which the Japanese Empire was founded, has been selected as materials for the textbooks. And they are so arranged as to be in keeping with the national life and the mental and physical development of the pupils.

The national school admits children of six years of age and its course of study extends over eight years. Based upon psychological theories and practical experience in education, the eight years have been divided into four periods, i.e. the first, second and third periods covering respectively the first and second years, the third year, and the fourth, fifth and sixth years of the elementary course, and the fourth period extending over the two years' higher course. This division of the eight years of childhood into four periods and the compilation of textbooks suitable for each stage of development in the child's mind and body have never before been attempted in the preparation of schoolbooks in this country. The training of the child can be carried on successfully only when it is guided with adequate teaching

matter in accordance with the stages of its growth. This attention given to the child's development in mind and body comes by no means from a mere desire to emancipate the child for its own sake, but in order to ensure the training of pupils as loyal Japanese subjects.

### New Textbooks Prepared in April

The new textbooks prepared in April are those for the first period, i.e. for the first and second years of the elementary course. As a matter of fact, schoolbooks for the lowest classes are the most difficult to compile, because the pupils are six and seven years old and little better than kindergarten children. So the books require to be prepared with elaborate plans and meticulous care. The textbooks for the first period, therefore, ought to be an extension of picture-books, such as books with pictures of trams and railway trains. The new schoolbooks are accordingly titled in terms familiar to the pupils, for instance, Good Boys and Girls, How to Read, Book of Figures, Book of Pictures, Book of Songs and Copy-books. Their contents are also suited to the life and sentiments of the young boys and girls in this period of growth.

But even in the life of those innocent little ones there is some element of gravity and piety. On Tentyosetu (the Emperor's Birthday), Meizisetsu (Anniversary of the Emperor Meiji's Birthday), New Year's Day and Kigensetsu (Empire Day) they attend the ceremony held at their school, when they pay respects to the Imperial Portraits and sing the national anthem. At home they lead a moral life in their way, performing their filial duties to their parents and grandparents. There are also the family Buddhist altar, the family Shinto shrine, and the Shinto shrine of their birthplaces, institutions to which they are taken by their parents to offer prayers. The environment in which those little ones live is full of things which contribute to the fostering in them of the concept of national polity and the spirit of piety and of reverence toward their ancestors.

Children's songs, such as "Evening Burning, Little Burning" and "O Full Moon" are the expression of praise to their beautiful land, and their search for cicadas and grasshoppers may be regarded as the beginning of their interest in science. Playing marbles and shop develop in the children mathematical and economic ideas. Drawing, paper-work and toy-making all help to foster creativeness and inventiveness in the child's mind. Those brought up in the mountainous districts have a yearning after the sea lying beyond the hills, while the children born and bred by the sea grow up to be the defence of the island country. Since the outbreak of the

current hostilities, they have seen their fathers, uncles and brothers leave for the front, and have heard from those relatives about the battle-fields over the sea. And not a few of the children become ambitious to go over to the Continent. They play soldiers, address soldiers in the street, take radio callisthenics, coax their parents to buy them toy tanks, pore over picture-books of warships, are keenly interested in the aeroplane, and fly model planes. Thus we are surprised to find that so many things in the children's life are available for training them as Japanese subjects all sound and up to date. Schoolbooks for the first period are intended to draw attention to their lives which are occupied with such innocent games and lead them educationally so as to develop their spiritual lives. They embody, so to speak, the spirit of what we call the highly organized national defence structure.

By the use of the Book of Songs the development of the sense of sound is intended, and the Book of Pictures aims at training children in the sense of colour. Standard colours cannot be printed even by the advanced art of printing today. So the Book of Pictures has beautiful, hand-dyed coloured paper containing nine to thirteen colours. Thus the textbooks for the national school are compiled with well-selected and systematized materials necessary for giving children basic training as subjects of the Japanese Empire. Even the books for the first period form an integral part of this system of textbooks.

### Fifty-three Million Copies to be Prepared

These schoolbooks are printed on a vast scale with most advanced technical skill. In the present school year, beginning with April 1st, about 60 different textbooks for the first and second years of the elementary course, including teachers' manuals and maps, are to be completed. Altogether about 53,000,000 copies of them will be supplied to the pupils and teachers throughout the country. If these books were arranged in a row, the total length would be more than 11,130 km., which is only a little less than the diameter of the globe (12,742 km.). The paper required amounts to 18,000,000 pounds, which might be loaded on 546 fifteen-ton goods wagons.

It is reassuring that in spite of the current emergency, which calls for enormous sacrifice in both human and material resources, Japan should be able to spare such vast quantities of materials and manpower for the purpose of educating the rising generation.

## NATIONAL DEFENCE SECURITY LAW

DEPARTMENT OF JUSTICE

THE National Defence Security Law is one of the most important legislation which was approved by the 76th session of the Imperial Diet. An attempt is made in these pages to explain its nature and significance.

It is trite, if not superfluous, to say that modern war is waged with the totality of national strength. Any country at war in these days is not only actually engaged in terms of military operations but also in terms of intelligence service for the search and collection of secrets of its enemy and for underhand activities in creating disturbances inside the enemy country. Therefore, to counteract such activities of insidious espionage and strategic intrigues, every possible measure must be devised.

In this connection, there is already in operation the Military Secret Protection Law designed to guard against the leakage of military secrets and the Defence Resources Secrets Protection Law to safeguard the secrecy of the defence resources of the country. However, no law specifically intended to protect the highest secrets of the State relating to diplomatic, financial and economic matters has yet to be enacted. Needless to say, from the point of view of national defence it was necessary for Japan to take immediate and appropriate steps, particularly since the international situation called for such a law. Doubtless the National Defence Security Law has been enacted in order to meet this need.

The law comprises two chapters, the first dealing with penalties and the second with criminal procedure.

### Penalties

Article 1 in Chapter I, defines the scope or extent of matters in respect to which secrecy is to be observed, prescribing that any diplomatic, financial, economic or other important State affairs provided in the said Article, or documentary evidences thereof, fall within the purview of the present law.

Among the matters thus prescribed are State secrets concerning matters submitted for deliberation at the Cabinet Councils, the secret sessions of the Diet or other similar conferences, proceedings

of these conferences, matters prepared for submission to such conferences and other important confidential matters pertaining to various Government offices.

Articles 3 to 7 provide for penalties to be meted out against searching, collecting, divulging or publishing such State secrets, and also for penalties in case any one who, after acquiring knowledge or coming into possession of such secrets in the course of his employment, has either revealed or made them public intentionally or negligently. "To make public" such secrets means to place them within easy reach of common knowledge, thereby enabling foreign agents to obtain knowledge thereof with ease. The harm thus done will be no less than that done in a case of direct leakage to a foreign country. Therefore, any such indirect leakage of secrets to a foreign country has been made punishable in the same manner as an intentional leakage thereof in spite of the fact that no intent is involved in the former case. The above-mentioned provisions purport to prevent any State secrets from being divulged to a foreign country. However, everybody is not in possession of secrets of high State affairs; the fact is that only the officials handling such secrets or a very few persons who may have something to do with them have a knowledge thereof. Hence strict prevention of leakage of State secrets could be effected only by requiring those specific persons to be cautious. In a word, the present law was drafted with a view to requiring those persons to use their best prudence and circumspection.

In Article 8 another provision is made for penalties to be meted out to any person who has searched for or collected information which, though not of the category of State secrets, must be strictly guarded for ensuring national defence. Nor will a person be exempt from the penalty who, knowing the possibility of being utilized by foreign countries, does the same with a view to furnishing information to a foreign country. This provision is intended to deal with a person who may be used as a medium of those who are seeking and collecting such information as referred to above. Furthermore, acts subversive to the social and economic order have also been made punishable under the provisions of Articles 9 and 10. Acts of circulating information prejudicial to the peace of the country by conspiring with or with intent to benefiting a foreign country and also acts of obstructing the operation of national economy by creating disorders in money markets or disintegrating the productive and distributive mechanism of essential materials—all this comes under the said provisions.

Again, with a view to guarding State secrets and to forestalling



the aforementioned acts of disturbances, Articles 11 to 13 provide for punishments against attempted offences as well as against cases of preparation, instigation, inducement and agitation.

### Criminal Procedure

The purpose of this law cannot be attained merely by laying down penal clauses. In case any attempt is made at systematic and deliberate espionage and intrigue by some nations hostile to this country, specific counter-measures must be devised to combat those attempts. Particular attention must therefore be given to the search for these offences and the judicial procedures thereof.

In the light of these considerations, the prosecutors in charge of the search for the aforesaid offences have been invested with an enlarged power, while they have been made directly responsible for those searches. Thus judicial police, including prefectural police officers and gendarmerie officers and non-commissioned officers, have been made to act on specific instructions from the prosecutors. Accordingly, the whole system of criminal searches will be made to function with perfect coordination and efficiency.

Court procedures subsequent to prosecution are to be so arranged as to speed up proceedings of trials, while the following provisions have been added with a view to preventing, while judicial action is in progress, the leakage of State, military and defence-resources secrets, or such official secrets related to national general mobilization as are officially designated. The essential points are as follows :

(1) No appeal is to be permitted against any decision of the court of first instance concerning offences provided in Article 16. However, an appeal may be allowed to the Supreme Court. Such an appeal may be instituted not only on questions of law, but also on questions of facts or unreasonable sentences (Article 33).

(2) One defendant may engage two lawyers (Article 30), who must be selected from among those designated in advance by the Minister of Justice. No lawyers may be retained after the lapse of ten days from the date of the receipt of a writ of summons fixing the date of the first public trial (Article 29).

(3) No lawyer shall be allowed to make an oral statement at a public trial concerning State, military and defence-resources secrets or such official secrets related to national general mobilization as are officially designated. When deemed necessary, pleading may be made in writing in lieu of an oral statement (Article 31).

(4) In case a lawyer intends to copy documents pertaining to a lawsuit within the purview of the present law, he is required to obtain permission therefor from the presiding judge or the preliminary judge concerned.

## RELIEVING HOUSING SHORTAGE

DEPARTMENT OF WELFARE

IN order to attain the twofold objectives of relieving the current housing shortage and simultaneously helping to improve the standard of living, the Imperial Diet passed two legislative measures at its recent session. The purpose of this article is to explain the aims of these measures as well as their general outline. These new laws to be reviewed are the House Owners' Associations Law and the Housing Corporation Law.

Since the outbreak of the Sino-Japanese conflict, housing shortage attendant on the urgent call for the expansion of productive capacity has become a real problem. To cope with this situation, the government has been encouraging the employers, particularly since August, 1939, to build dwelling houses for their employees in accordance with the Housing Plan for Workers. This plan is so designed as to make it possible for employers to obtain necessary building materials and aid in financing the building of dwelling houses for their employees.

Municipalities and other local public bodies have also been encouraged to provide housing facilities for workers, and in case these bodies should incur losses in doing so, they were to be reimbursed under the said plan. As these measures were found insufficient to relieve the prevailing difficulty to any appreciable extent, however, the Government set up a housing commission in the Department of Welfare to study the problem more thoroughly. The two housing laws under review here have been drafted with due reference to the recommendations submitted by the said commission.

Needless to say, the prevailing housing problem can only be worked out by speedily increasing the number of available dwelling houses. For this purpose, it is essential to induce those investing in houses to let to urgently and sufficiently supply such houses. However, house owners are unorganized individuals without any system of cooperation among themselves, and consequently they are experiencing a considerable difficulty in obtaining building materials and other facilities. This is considered one of the main causes for retarding the building of houses to let and for aggravating the housing problem. Accordingly, the House Owners' Associations Law has been enacted for the purpose of organizing house-owners and giving them government aid in facilitating the supply of building

## RELIEVING HOUSING SHORTAGE

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materials and other facilities. Thus the housing facilities are expedited and augmented, which makes it possible to place the renting of houses under control and the management of house owners' business on a rational basis.

### House Owners' Associations Law

The purpose of the house owners' associations under the House Owners' Associations Law is to facilitate the supply of houses to let by their members and to rationalize the house-renting business of the members (Art. 1, paragraph 1). The said associations are to be organized as juristic persons (Art. 1, paragraph 3), and the members are to be composed of house owners and those engaged in the business of renting houses (Art. 1, paragraph 2). In order to encourage the building of houses to let, those who intend to build such houses are also made eligible to membership in the said associations (Art. 29).

The associations are authorized to undertake business within the scope prescribed below (Art. 2):

1. Acquisition of land and materials necessary for the building of houses to let by their members, and provision of facilities for their common benefit in connection with the building of their houses to let.
2. Collection of house-rents for the houses owned by their members, repair work on such houses, and provision of facilities for the common benefit of their members in connection with the management of their house-renting business.
3. Establishment of business offices to handle matters concerning the houses to let owned by their members.
4. Control of the terms of lease of the houses owned by their members and also other matters concerning the management of house-renting business.
5. Guidance for and study and investigation of the construction and management of the houses to let owned by members of the associations and other matters necessary for the attainment of the aims of the associations.

In addition to the above-mentioned matters, the associations are also authorized to advance necessary funds to their members to enable them to build houses to let and also to guarantee payment of debts contracted by their members in connection with the building of their houses to let. Facilities provided by the associations, such as enumerated above, may also be made available to those other than the members of the associations, as prescribed by Ordinance.

The administrative authorities may order the associations to undertake whatever business that may be deemed particularly necessary in order to satisfactorily provide houses to let and to rationalize their management (Art. 4).

The administrative authorities may also order the members of the associations under their jurisdiction or non-members who are eligible to the association membership to submit to the control of the associations (Art. 5).

As for taxation, the associations are exempted from the income tax, juristic person tax and business tax, as well as from the municipal tax on the construction or acquisition by the associations of houses to let, or on the acquisition by the associations of land on which to build houses to let (Art. 9). The associations are also to have their registration tax and revenue stamp tax remitted or reduced (Arts. 54 & 55).

Each of the associations is to be organized with the consent of a majority of those who are eligible to its membership within the area covered by it, which is to be designated on the basis of the area under the jurisdiction of the police station concerned or on some other proper basis. In other words, the establishment of the associations is to be made voluntary (Art. 10). The required number of those consenting to the organization of each of the associations, which is prescribed as a majority, may be reduced by Ordinance in case such reduction is made necessary by the local situation or other circumstances.

Provisions with regard to the rights and obligations of the members of the associations, their admission into and withdrawal from its membership, the management, dissolution, liquidation and supervision of the associations, and penalties related thereto mainly follow those provided in the Commercial Associations Law (Arts. 18—37 & 43—50).

A number of house owners' associations may organize a Federation of House Owners' Associations for their common benefit. The federation, as a juristic person, is to be made subject to the House Owners' Associations Law with necessary modifications.

As for the boarding-houses and apartment-houses which have recently become increasingly numerous in urban districts, it has been arranged that operators of such houses be allowed to organize what is known as the "Room-Letting Association" and corresponding federations for similar purposes as the House Owners' Associations and their federations. Such a step is necessary since the types of construction and management of the boarding- and apartment-houses differ from the ordinary houses to let, and also because they,

like the ordinary houses, occupy an important place in the housing policy. The Room-Letting Associations and their federations shall be juristic persons, and the provisions governing the House Owners' Associations and their federations are to be applied to them with necessary modifications (Arts. 41 & 42).

### Housing Corporation Law

In conjunction with the House Owners' Associations Law, which was, as stated above, enacted to speedily relieve the prevailing housing difficulty, the Housing Corporation Law was promulgated. The Housing Corporation is a special juristic person to be established and financed by the Government in order to provide housing facilities to workers and others.

The Housing Corporation is to start building dwelling houses in those districts where the need for such facilities is most keenly felt due to the current situation, and the houses thus built are to be either sold by monthly instalment or leased as houses to let.

The Corporation is to have the status of a juristic person, its aim being to supply workers and others with dwelling houses (Art. 1). It will have its main offices in Tokyo and branch offices in necessary localities with the approval of the competent Minister. The Corporation will be capitalized at 100,000,000 yen, which is to be totally subscribed by the Government (Arts. 3 & 4). In furnishing the said fund, the Government may pay in land instead of in cash. In this connection it is provided that during the 1941-42 fiscal year the Government is to pay in 20,000,000 yen, including 5,000,000 yen worth of land.

The Corporation is to undertake business within the scope prescribed below (Art. 16):

- (a) Construction and management of dwelling houses;
- (b) Acceptance of trusts to construct and operate dwelling houses;
- (c) Construction and management of waterworks, retail markets, restaurants, bathhouses, kindergartens, *nyusang yo*,<sup>1</sup> meeting halls and other facilities, as well as the operation of motor bus services, in conjunction with the building and management of dwelling houses in the area covered by the Corporation concerned;
- (d) Advancing of loans as funds for building dwelling houses;
- (e) Acting as intermediary in connection with the sales or leasing of dwelling houses;
- (f) Other kinds of business incidental to those specified above.

<sup>1</sup> A kind of workhouse but the beneficiaries are not confined to paupers.

The Corporation will be authorized to expropriate or use necessary land, exercise rights other than that of ownership of such land to meet the requirements of its dwelling houses and relevant facilities (Art. 17).

Land owned by local public bodies may be transferred or leased to the Corporation under private contracts (Art. 18). It is also authorized to issue what are to be known as Housing Debentures in an amount ten times its paid-up capital (Art. 22). The business year of the corporation is to begin on April 1 and end on March 31 of the following year (Art. 29).

The Corporation may, in case a surplus is left after setting up a reserve fund from the profit of each business year to be prescribed by Imperial Ordinance, pay dividends out of such surplus, provided that the rate of such dividends shall not exceed 3.5 per cent of the paid-up capital (Art. 30).

The Corporation shall have a Chairman and a Vice-Chairman of the Board of Directors, four or more Directors and two or more Auditors as its officers (Art. 11). A number of Councillors are also to be appointed (Art. 15). The function of these Councillors are to be honorary, and the Councillors are to submit opinions to the Chairman, upon request, on important matters concerning the business and management of the Corporation; they may also submit recommendations to the management when necessary.

So far as taxation is concerned, the Corporation is to be exempted from the income tax, juristic person tax and business tax, while, as a principle, no local tax is to be imposed on its business or on its construction or acquisition of buildings or on its acquisition of land (Art. 7). Necessary exemption from the registration tax and revenue stamp tax is also to be arranged (Arts. 48 & 49).

The Corporation must secure the approval of the competent Minister when it is to adopt or revise a business programme, issue Housing Debentures, dispose of surplus profits, revise its articles of association or open any branch offices (Arts. 2, 5, 24 & 35).

The competent Minister may appoint a comptroller to supervise the business of the Corporation (Art. 27), and may also dismiss any officer of the Corporation who may have contravened any law or ordinance, any of its articles of association or any of his orders, or committed any act prejudicial to public good.

## INCREASED PRODUCTION OF STAPLE FOODSTUFFS

DEPARTMENT OF AGRICULTURE AND FORESTRY

MODERN war is the greatest consumer not only of goods and materials but also of foodstuffs. Since the outbreak of the China Affair in 1937, therefore, the Government have done all that they can to increase the production of rice and wheat, the staple foods of the country, so as to keep well fed the men on the China front as well as the people on the home front. It was certainly gratifying to note, in the first three years of the Affair, that farmers had succeeded, in accordance with the Government programme and under the expert guidance and direction, in increasing these staples by utilizing insufficient materials and labour and by overcoming all adverse circumstances.

Thus their production increased as shown in the following table :

Years.	Rice (in 1,000 <i>koku</i> ) <sup>1</sup>	Wheat (in 1,000 <i>koku</i> )
1935-37(average)	63,700	21,460
1938	65,860	26,600
1939	68,960	26,900

As the result of a serious drought occurring in Southern Tyosen in 1939, however, the rice import from the peninsular to Japan Proper during that year fell off so sharply that the supply of rice in the main islands was greatly disturbed. To solve the problem of rice supply, a plan for the increased production for 1940 was drawn up, calling for the production of 71,000,000 *koku* in Japan Proper, or an increase of 3,535,000 *koku* as compared with the plan for the previous year. In accordance with this plan, every conceivable effort was made to increase the rice crop in the main islands, but unfortunately the actual yields amounted only to a little over 60,870,000 *koku*, or approximately 10,000,000 *koku* less than what was estimated in the plan.

In the face of this situation, the Government took steps to import foreign rice, to regulate the consumption and other matters, thereby placing rice under State control. At the same time, in view of the new developments in the world situation, particularly in reference to supply and demand of foodstuffs in this country, a new plan has been worked out for their increased production during and after the 1941-42 fiscal year, in order to ensure self-sufficiency in staple foods

<sup>1</sup> A Japanese measure of capacity equivalent to 4.9629 bushels.

and farm products in Japan Proper, thus strengthening the foundation for the national defence structure.

According to this plan, an annual increase of 12 million *koku* is to be effected each in the rice and wheat production by the end of the first 10-year period which is to end in about 1951. To make this plan feasible, the yield of farm products per unit area is to be increased by producing improved varieties, while the total area under cultivation is also to be increased by some 500,000 *cho*<sup>a</sup>, including 200,000 *cho* of paddy-fields and 300,000 *cho* of other types of farm land. At the same time nearly 1,700,000 *cho* of the existing total farm land of the country are to be so improved as to produce better agricultural results. For this purpose, the recent session of the Diet has passed the Farm Land Development Bill, providing for the organization of the Farm Land Development Corporation, a special juristic person, to undertake large-scale cultivation, irrigation and other agricultural improvements under State supervision.

As stated above, the Government have, since the beginning of the current hostilities on the Continent, been carrying out plans for furthering the production of foodstuffs year after year. These plans are drawn up each year by the Department of Agriculture and Forestry on the basis of the results previously obtained, each prefecture being required to effect a certain increase in each item of farm produce. In allotting such quotas to prefectures, the Department grants them subsidies to help finance necessary facilities for promoting the production. The Department also distributes fertilizers and other materials for farm work, encourages cooperative farming, and provides for the adjustment of agricultural labour.

In addition to this, many other measures are being carried out for the purpose, direct or indirect, of securing the increased production of foodstuffs. Among the related legislative measures taken under the current emergency are the Law for Temporary Control of the Distribution of Fertilizers, the Law for Control of the Distribution and Increased Production of Sulphate of Ammonia, the Regulations Governing the Consumption of Fertilizers, the Law for Adjusting Farm Land, the Ordinance for Temporary Control of Farm Land, etc., the Ordinance Controlling Farm-rents, the Regulations for Promoting the Increased Yields of Staple Farm Products, special attention being paid, on the other hand, to the encouragement of the activities of communal agricultural organizations.

When the prefectures have been informed of their respective quotas for increasing agricultural production, as has been stated,

<sup>a</sup> A Japanese measure of area equivalent to 2.4507 acres.

the prefectural authorities concerned, in their turn, instruct their cities, towns and villages to apportion their respective production shares properly among the farm households within their own areas.

In the 10-year plan, beginning with the 1941-42 fiscal year, the production of the staple foodstuffs is to be increased each year in such a way as is best suited to the conditions prevailing during the year concerned. At the same time, an all-round plan is to be effected for carrying out the object of increasing the production of potatoes, sweet potatoes and other substitutes for the staple foods instead of concentrating attention on rice and wheat alone.

#### Details of Plan

The plan for the 1941-42 fiscal year calls for the production of 71,445,000 *koku* of rice, 28,785,000 *koku* of wheat, barley and rye inclusive, 1,435,500,000 *kwan*<sup>b</sup> of sweet potatoes and 660,000,000 *kwan* of potatoes. In keeping with this plan, all facilities are to be amplified to help in increasing the production. These figures represent an increase of 2,064,000 *koku* for rice, 4,849,000 *koku* for wheat, barley and rye, 455,500,000 *kwan* for sweet potatoes and 178,000,000 *kwan* for potatoes.

Among the measures devised for increasing the production are those designed for expanding farm land in area and those for improving its productivity, as it is not sufficient merely to improve farming technique. Plans have been drawn up, therefore, with a view to cultivating new paddy-fields and other farms, while various measures for improving irrigation and other public agricultural facilities have been worked out in order to increase the productivity of the soil. In addition to these, the Farm Land Development Corporation, which is to be newly organized, is to carry out various measures on a large scale for the expansion and improvement of farm land. Such a measure as the conversion of a considerable portion of mulberry farms will also be carried out in view of the current international situation.

Plans are under way also to improve crops in general, covering such matters as (1) the measures to be taken in encouraging practical methods of improving crops and calling upon the individual farmers in all parts of the country to live up to the standards to be set up for the desired betterment of crops; (2) the improvements to be introduced in connection with the fertilization of the soil for the purpose of maintaining its productivity; (3) the

<sup>b</sup> Corresponds to 5.75 kilogrammes.



subsidies to be given for the purchases of agricultural chemicals, disinfectant sprays and other devices for fighting and exterminating noxious insects; (4) the purchases and distribution of prolific seeds; (5) the facilities for raising seedlings such as hotbeds for rice plants in some districts of Eastern Japan, where young rice plants have frequently suffered from scanty sunshine and low temperature, and those for common nurseries for sweet potatoes, etc., and (6) the enlargement of agricultural research institutions, encouragement of the use of cattle in farming, and other measures conducive to these ends.

### How to Carry out These Plans

It has been arranged, in this connection, that a system be established for providing technical guidance for the farmers, and all the efforts to this end are to be placed under the supervision of the National Technical Headquarters for Increasing the Production of Foodstuffs, an agency to be newly set up in the Department of Agriculture and Forestry. Under this new machinery, the entire country is to be divided into nine regions with a group of experts in charge of technical guidance, while the prefectural governments are also to open their respective headquarters with the identical object and carry out their expert guidance for each city, town or village under their jurisdiction. In conjunction with this system, the Government and municipal officials concerned, the leaders connected with the agricultural organizations, the local school teachers, the agricultural scientists and experienced farmers are to be mobilized for the same purpose. Already some 230,000 persons have been appointed throughout the country on the special commission to promote the increased production of foodstuffs.

Apart from the plans outlined above, about 15,000 young leaders of farm villages from all parts of the country were given a month's training lately at a training institute at Utiyama in Ibaraki Prefecture with a view to infusing the spirit of service to the State in the entire farming population. After undergoing this training, the young leaders are now conducting a movement for the increased production throughout the country. The Government are planning further to enroll more young farmers in the same training camp during the current year in an attempt to push the movement.

## WHAT MEN AT THE FRONT THINK

SELECTED BY THE BOARD OF INFORMATION

### I. From a Soldier's Diary

KATSUMI SASAKI

Torii Unit, Central China

One early summer day, at the front. . .

It is already two months since we joined the Ichang campaign. It is again swelteringly hot today.

When we left our base camp wheat had just begun to flower; today we can see the green leaves of rice-plant in paddy-fields fluttering in a light breeze. Our march started from Hsinyang, and after meeting considerable resistances at Shaolintien, Tungpai and Huchiachen we swept through the Hsiangtung Plain and assembled at Suihsien. From there we resumed the march with our destination fixed at Kingshan and advanced into the Tahung Range. Thus we have been continuing our march driving away the enemy guerrillas en route. During the two months of our march, we have had to labor on under the scorching summer sun in our only uniform, torn by rain and wind and had to bivouac at night in the open. We have also suffered terribly from a dire scarcity of drinking water.

It was toward the end of May with the heat increasing and our forced march sadly hampered. Still we advanced day and night. I held on to the column, limping with my sore feet. What is more, the path was the most uncomfortable mountain road winding and circling at every turn, a continuous chain of abrupt passes. Every time I took a step up or down the rocky path the weight of my kit-bag bit heavily into the shoulders. And drops of perspiration continued to stream into my eyes, and my face was sorrowfully dirty from the clouds of dust which arose as we tramped the powdery earth.

About noon we arrived at a little village. There were many houses with loopholes. We took our meals there. Resuming our march we soon came to a little ravine, and when it was dark we were ordered to camp in a wheat-field. The pale moon above dolefully shone on the dewdrops nestling on the ears of wheat. I lay down in the wheat-field, when I began to feel strangely hungry. I could not resist the temptation, so I stretched my hand out and

picked an ear of wheat, and began to chew it. One bite, and the nostalgic milk oozed out of the ear to water the mouth.

The wheat-field is without its master—where has he gone and left it unharvested? The misery and affliction of the people who live within the fighting area came pressingly into my heart. The night was dark and solitarily silent. In this solitude, suddenly I heard something rustle near me. I jumped up and wading through the wheat for several paces, to my surprise, I plainly saw a Chinese woman with her baby in her arms fearfully crouching not far away. Her emaciated face suddenly assumed an uneasy look. What a grievous sight! That was more than I could stand. As if I had not noticed her I quietly turned on my heels and returned into the wheat-field and lay down on the kit-bag. Living in their own country, possessing their own houses, and seeing their own fields and hills before their own eyes, and still they must hide and run away into the far recesses of the mountains. What a pitiable life! We must win when we fight. We must, under any circumstance. My feet began to ache again. The gentle breathing of my peacefully sleeping comrades disturbed my ears. As I could not sleep I opened my eyes only to see a fire-fly flitting about over their faces.

Another summer day . . .

During most of the march we had muddy water everywhere, but today we came to a clear stream. And the landscape also began to change. Not many miles away we had been vast wheat-fields stretching far into the horizon, but here there were paddy-fields with rice seedlings planted in places. The place had been less affected by the war than elsewhere. We also saw peach trees heavily laden with still green and unripe fruit. When the march was suspended for a while, we all jumped into a peach orchard. In the midst of our scramble for peaches, all of a sudden we heard several sharp rifle reports in the distance. No one paid any heed to them. We had become too familiar with them and if there were none we often felt even lonesome. Flowering silk-trees stood sweetly on the adjoining eminences.

"I wonder if our peaches are ripe at home," some one asked.

"I guess they are, it's already June . . . they are so juicy and delicious, you know."

Seeing my comrades hungrily devouring, almost gormandizing, green peaches and exclaiming in a superlative degree their satisfaction, I felt totally tristful, something sadly touching my heart. And then I walked down to a stream below to wash my canteen, only to be welcomed by the sweet odor of the iris swaying its pendent

leaves by the water.

While in the midst of my admiration for the quiet surroundings, something attracted my ears. I listened and heard a lovely chirruping song of a bush-warbler singing sweetly among trees not far away. They say the older birds give matured and perfected songs, but I like the young, still untrained singing their best, trying to attain perfection.

Surveying the surroundings in this serene atmosphere I could see the verdant leaves glowing luxuriantly in the brilliant rays of the sun. And could this stillness be within the realm of war, I wondered. Far and near the hills stood still as if nothing had happened. Yet when I reflected on the days when our soldiers bravely shed their last blood for their own country among these hills my heart was filled with that common emotion of my own people, and I could not but offer my prayers for those heroes, who are no more with us.

There was a little white post standing on a low hill on which was written, "To the Unknown Chinese Soldiers." Whoever they were, they were undoubtedly gallant soldiers who had given their lives for their country, and however warped their patriotism might have been, the beautiful spirit that had been theirs must be well respected. I picked a wild flower blooming near by and placed it before the white post, as I would have done to the men who had fallen for my own country. That post, the clouds overhead, and the flower were all white, and in that pure whiteness there was something pathetic.

Another summer day . . .

The movement of an army is a military secret. It must be carefully guarded, so that we soldiers often are not sure of even our own destination. The soldiers march in dead silence; they just march on in the face of all hardships, fortified by their unconquerable will power. Our destination was changed from Kingshan to Sianlu. Under the scorching sun, burning our feet on the heated road, we passed through a number of deserted towns and villages. We marched on day and night, heavily laden with kit-bags, through dead streets winding between ruined houses and walls, into a vast plain. When thirsty, we scooped water from paddy-fields to quench our thirst. When hungry, we chewed the seeds of herbs and grasses growing wild under our trampling feet. When night came on mosquitoes disturbed our sleep, and the heat remaining in the ground kept us uncomfortable and restless. What an abrupt change it is from the burning heat in the day time to the chilling cold at night! At Linfangtsui we ate cooked white rice partially browned by muddy

water, and at dawn we resumed the march to Chaoyangtien. The misty fog in the meantime turned into a drizzling rain. In this rain we marched on. Over hills and dales we only went forward, wet to the skin in the rain. The trail passed over yellow soil, black mud, white sandy hills, and sometimes over flaming scarlet earth, strewn with white pebbles here and there and all softly watered by the rain. Along this trail we dragged our tired feet on and on. It was a natural damask woven over the fields. What a picture-like scene! Yet, still more picturesque were the soldiers marching in dead silence drenched in the falling rain.

"Report from the rear!" a command came from the van.

"All's quiet!" like an echo a strong voice from the rear answered.

I had never felt so seriously solemn in my life as when I heard this imperative but impressive exchange of voices.

Our uniforms, kit-bags, and everything were soaked in the rain. Raindrops dripped down the cap on to our cheeks. Our heavy shoes slipped and stuck in the mud with each step.

"Ah, it's going to clear up," said some one and everybody looked up with tearful eyes for joy. And there was a tiny space of blue sky peeping between the dark clouds in the distant horizon. Innocent like so many children, the soldiers staking their lives on the battle-fields could also shed tears at such a simple happening. With that nostalgic sentiment surging within me, I could only hold back tears by drooping my head and biting my lip.

Another eventful day . . .

The trail at Pantunling was steep. We entered the fighting zone from a village at the foot of the mountain, and it was late last night that we reached a spot two hundred metres from the summit. After that we crawled to another point only fifty metres from the enemy firing line, and passed the night without a wink. About dawn we were to make a final charge against the enemy. Under Commander Nishina, the Nishino squad and the rest slowly advanced inch by inch toward the summit.

"Hisazume of the Okamura Company has already gone." The voice quite suddenly reached my ears. We had formerly been in the same squad, and he was one of the few now remaining among us. His face flashed across my memory. How I wished I could meet him!

Pssh! A bullet went over my head. Inch by inch we crawled heavily over the thorns that bit our hands to bleed. Our uniforms were already muddy. These men were now united in one body

in a giant strength before death. How glorious it was to forget everything else and fight on!

"They got him!" Again some one fell. His face gradually lost its vigor as his comrades carried him behind the line.

"Charge!"

At this command I jumped up in the midst of enemy bullets flying low. As quick as thought, I followed my squad-commander. The charge was successful. Fortunately there was no one wounded in the Nishino squad. When we began our attack on the enemy's second line, the rain had ceased and the cloudy sky had partially cleared. I was thirsty but there was no water, not a drop. Nor did we expect our breakfast. In a little recess sheltered from flying bullets the Nishino squad assembled. Our Sergeant produced a cigarette, which was passed round among us. But I craved for water more than a puff at the lone cigarette. So I gathered dew-drops from the leaves of a tree and sipped them eagerly.

We again deployed and advanced. Bullets from Czech machine-guns flew over our heads as we climbed the steep slope. And from the little temple on the summit, hand grenades were thrown down incessantly. Shots from trench mortars exploded with terrific detonation before us. Just a few more yards uphill and all would be over, I thought. Then, "Bang!" came a tremendous noise deafening my ears, and I saw everything about me become dark.

The smoke of gun-powder pricked my nostrils. It was dark everywhere. I could see nothing. There were groans and moans around me. I jumped up, and then felt my limbs and other places. There was nothing missing, no wound. But as I passed my hand over my uniform there was something wet and sticky. On closer examination it was a bloody piece of flesh. What had become of my Sergeant? The thought flashed in my head.

"Sergeant!" I cried out. There was no answer.

"Corporal Ugawa!" No answer from him, either.

When the smoke began to clear away, I stood there aghast. My beloved Sergeant was already dead, and Corporal Ugawa was also lying beside him lifeless. Their caps, canteens and uniforms were all blood-stained. That was not all. Private Hashimoto was gone, and another soldier of the Yokoi squad was also among those who had fallen. . .

Many of our men were killed there in the sanguinary battle. The Nishino squad lost three men, and the Yokoi squad also as many. There were tears in the eyes of Private Kohiga, who was badly wounded and carried away behind. Apparently he was being pained not so much by his wound as by the thought that he had to leave

the firing line and his comrades. It was all a moment's occurrence that took away so many of our men. It was no use crying.

There was a strong desire for revenge apparent in the look of each of the soldiers of the Nishina unit, who, as they resumed their march, carried among them eleven boxes containing the ashes of the men killed in the last battle. And there was also burning within me an irrepressible feeling of animosity I had never felt before.

One autumn day . . .

The squad without its leader is truly lonesome. Since the battle at Pantunling the enemy has fled and there has been no major encounter. However, there were small skirmishes everywhere and in the meantime we crossed the Tahung Range. While drinking muddy water under the scorching sun, we were warned.

"Don't drink too much." These few words, fraught with so much kindly thought as they were, struck us ever so tenderly.

It was after the death of our Sergeant that we really began to feel the true force of affectionate attachment to one another among us more and more keenly, each lending a helping hand willingly to another. At the outset of the campaign the squad had its full strength, but today a number had gone. And all those now remaining are privates, but we are as ever united.

When we finally crossed the Tahung Range our impoverished supplies were replenished. Rice was immediately cooked and the first scoopful was presented together with a cup of hot water to the ashes of the three comrades. This little act of brotherly love made us recall the day when we said we all wanted to eat cooked rice to our heart's content. The thought today only made us unbearably lonesome without them.

"Now, help yourself as much as you wish. . .," so saying we all stood before their ashes as if they were there with us. But the stillness of the scene only led us into dead silence.

The next day we left for another point by car.

"Sergeant! We have done our duty even after your death, and we are all fit and well. The day has come when we are able to return to the base camp safely." What a sad report it was for us to make before our comrades' ashes in a ruined house! And how much their wives and children would weep over their death! It was another sad thought lingering among us. I, too, wept; wept in spite of my effort to restrain such feministic feeling, recalling how we used to share our fate on the battle-fields as brothers in arms. If they say he who weeps is not a man and call him a man who laughs and hides his tears of sorrow, after all is it not the lonesome man's

falsehood? What else can it be? To the soldiers who stake their lives on deeds of arms, can there be any falsehood and empty pride; tears streamed down my cheeks incessantly.

Another autumn day...

The wild flowers decorating the ashes wrapped in a white cloth and carried in our arms tenderly fluttered in the breeze. We finally returned to our base camp. It is not uncommon for a soldier to die, especially when he is on a battle-field. And no wonder we all felt as if we had returned to our own house, when we came back to the base camp. Indeed the gladness of being alive oozed within us.

Although we had returned to our old nest, it was but a moment's pleasure; in a few days the Nishina Company was ordered to another point. Leaving behind us the dear hills and meadows which were our companions day in and day out, we moved to our new station. As the new place was reported to be still in disorder, we asked the men of the Hosokawa Company to keep the ashes of our eleven dead until our new quarters were ready to receive them. We felt somewhat uneasy to think that the ashes were to be left in the hands of total strangers.

And then, insects of the autumn season began to sing round the tochkas built on the surrounding hills. A cool autumnal wind that came across the vast field made our hearts sink deeper and deeper.

The vast expanse of plains on the Continent, where no modern culture seems to have invaded yet—it is where Japan is today fighting to construct a new order of things. For this cause we are also doing our utmost to care for the teeming millions of impoverished Chinese, as well as for their soil, villages and towns.

Grass-grown tochkas, winding trenches—some day these must become unnecessary. That day must come. Purple and red seeds of grasses, deciduous leaves rustling in the breeze, the sky and water in darkish blue, loopholes peeping out from among withered pampass grass,—this dreary battle-field scene on the Continent fills our hearts with a mingled feeling of sadness and solemnity.

This is not all that is in my heart. I have seen with my own eyes many an impressive sight and felt in my own heart various emotions, but nothing is so strong as the passionate love for my own country, a feeling which I have felt grown within me while fighting.

My pure heart,  
May it live  
In the other world,

As it lived in me  
On the morn I was called  
To arms.

'Twas cold and snowy,  
That February day,  
When we sailed from Sakaide  
On the day I was called  
To arms.

Standing in a cool autumnal breeze, I could even now recall the enthused scene touching my heart, when we sailed from Sakaide that snowy day in the midst of wild cheers and waving streams of flags.

One late autumn day . . .

The seeds of grasses have ripened. We began to feel a nostalgic yearning for charcoal fires, being now toward the close of autumn. Some of the comrades who had been sent back during the early campaign began to rejoin us. While wading through the thick grass back to our quarters with the ashes, I keenly appreciated my good fortunes of being alive. Then I held the box of ashes tightly, nearly overcome with sorrow.

"Sergeant! Will you protect the glorious grounds hallowed by you in this part of the Continent, and guide us in this constructive work now in progress. Japan has much more to do before she can liberate herself from the hostilities. I shall silently attend to the construction which is today under way here, into the other end of the plain, yes, into the farthest end of the earth. . ."

Warm drops of tears fell on the white cloth wrapping the ashes at my chest. The autumnal horizon lay as far away as my tearful eyes could see. Our high and gigantic task on the Continent has just begun. From somewhere in the field came soft and plaintive songs of insects wafted along by the breeze.

## 2. A Song of Morn

HEIHACHI ONISHI

Tobe Unit, Central China

O Life-to-Be, thou Things-to-Come,  
Bud thou forth from out the soil.  
Old life passeth, dry and sere,  
In snowy fields, where bleak winds toil.

Plaintive, the old order, weak with age,  
Raises its voice, like rattle of bones,  
As the north wind, mourning, hurries through  
The branches bare, with dreary groans.

Severe though be the winter morn,  
This Great Earth is reviving now  
To the tread of that Titan's march, . . .  
Of Japan; and to the sunrise glow.

Through all the many thousand years  
Of China's story, has ever flowed  
The Yangtze, while, on clouds o'erhead  
The dawn its blushing tints bestowed.

What is this message History's breath  
Whispers to my heart so clear?  
What is this spirit, born of time  
Eternal, challenges me here?

Naught has such power to stir my soul,  
To set my heart's blood coursing high. . .  
The blood of my fathers and forefathers  
Who for their country dared to die.

Though hard the road to go, and rough,  
Go thou forth with strength and faith,  
Advance to build, and still to build,  
March with the rising sun apace.

One boon I pray, that I may prove  
No less worthy of the strife  
Than those before me. Silent, I  
Press forward, joyful, to the strife.



## 3. Tears and Soldier

RISUKE KATSUMATA

Mishiro Unit, North China

A thin, lurid moon like a sickle hung above our heads. The sky seems as hard-frozen as the earth, and a cold, soundless wind creeps along our camp, adding to the quiet of the night. It is nipping cold, for it is a December night in North China. How fast time flies; again we are in the midst of winter.

I am writing a long letter to my parents under a dim oil lamp; in a group my comrades are talking over a blazing fire about "that time," which has come up in our talk several times since we came to the front.

"Why I wept that time I really don't know," said Private Hukamoto feelingly, smoking a cigarette and stirring up the fire with a rude poker in his right hand.

"I did cry myself, you know. You see, when we all sang 'Kimi-gayo,' I just couldn't check my tears."

"That's right. I'd have knocked down anybody who didn't." They are all remembering 'that time,' closely following the thoughts of Hukamoto.

All the men become lively whenever the topic comes up, and without exception they become tongue-tied after that. The talk has come to a close now. No, but it is so tenderly treasured in their innermost hearts. Many months have passed, since we first landed in North China with a firm soldiers' resolution to sacrifice everything we held dear for the Emperor. We have fought hard battles and suffered loss of many precious lives. We have never parted from our muskets on this vast Continent. No nostalgia, no care about our homes has ever troubled and hindered our hard training at the front. All of us are now hardened members of the Imperial Japanese Army.

"You remember what Corporal Kobori said?"

"You mean when he told us not to wave hands or speak to those who came to see us off?"

"That's it. He told us to stand at attention all the time. Not even salute, mark you! Well, that made us realize what it was to face senders-off, didn't it? And that touching goodbye..."

"They waved flags, and sang and shouted at the top of their voices on the quay—just to let go their feelings, I suppose. But it was hard for us on board who could only stand and stare."

"Might have gone through better without tears, you know, if we'd just been allowed to wave hands to them."

"Wasn't it almost a physical pain, that emotion of the moment? I wonder if we shall ever be so deeply moved."

Our comrades are speaking of the heartfelt emotion they experienced when they began to cross the China Sea. That emotion, since we came here, when we charged through the blinding sheets of bullets, or when we trudged many dreary miles feeling more dead than alive, has never ceased to urge us on and on—Well, I myself am recalling the past my letter to my parents completely abandoned.

It was a bright cloudless day in winter. On the quay thousands of people were surging back and forth like countless ants clustering to a huge cake. There were as many thousands of little flags of the 'Rising Sun' fluttering in the breeze. All the people came to send off those brave soldiers who were just leaving for China on a very important duty. Every eye, every flag was directed to the decks of the transport.

But what were they doing, those khaki rows of silent figures on board, as if spellbound, in this storm of excitement? Not a voice was heard in spite of the devastating tumult on the shore; the men were like fossils, for there was no movement among them. It was a strange contrast, the boiling crowds on one side, and the immovable khaki uniforms on the other. Suddenly the band struck up the national anthem. The crowds and the khakis began to sing in unison. And look! every uniform was mutely crying, some eyes were full of tears threatening to overflow their eyelids, some cheeks stained with streaks of tears trickling down. They gulped, trying not to miss their parents, their sisters and brothers, every face flushed and away with emotion, every eyelid swollen with hot tears.

When the band began to play the 'Farewell March for Soldiers,' there went a deep-toned steam whistle, and the ship, which had been lying alongside the quay, go under steam headed for the entrance of the harbour. The storm of 'banzai' and the waves of flags followed her, until they became very distant and hazy, but was it not because of tears that they looked so small and blurred?

The fire is now low. I shiver and look round. A few men seem wakeful for I can still hear their mutterings.

"You remember our sergeant-major told those of us to step forward who had people to see them off. Well, I went up to the railing and looked for my parents, but when I found them, I couldn't keep in the front row. I had to go back."

"And my people smiled and waved and shouted good-bye,

but for the world I couldn't keep my eyes on them."

What were my comrades' thoughts when they looked away from their dear ones, their tearful eyes resting vaguely on the distant clouds? And now, the memory is their sacred talisman, after they have taken part in bitter fightings, their uniforms soiled with sweat and dirt and reeking of gun-powder.

Because we were soldiers, because we were men to fight for the country, how deeply and solemnly we did feel! Never for a single moment this feeling deserts us, pushing us onward in hardships and difficulties. It will never become stale, but will finally be found in full bloom, when the great mission entrusted to us by the country is fulfilled. We, who are on the border of 'no man's land,' live only for this memory which is forever fresh in our minds.

I watch the night grow old. The deep breathing of my comrades lulls my brain. Has sweet sleep at last come? The fire has flickered up in its last glow and is gone.

## CONCERNING THE PACT OF NEUTRALITY BETWEEN JAPAN AND THE SOVIET UNION

### I

—Announcement by the Board of Information on April 13, 1941—

THE Japanese representatives, namely, the Foreign Minister, Mr. Yosuke Matsuoka, and the Ambassador, Lieutenant-General Yoshitsugu Tatekawa, and the Soviet representative, namely, the President of the People's Council and the People's Commissar for Foreign Affairs, Mr. Viacheslav Molotov, signed at Moscow at two o'clock this afternoon, April 13, the Pact of Neutrality between Japan and the Soviet Union.

A gist of the Pact is as follows:

The Japanese Empire and the Union of Soviet Socialist Republics prompted by their desire of strengthening the peaceful and friendly relations subsisting between the two countries have decided to conclude a Pact of Neutrality and have mutually agreed as follows:

Article 1. The two High Contracting Parties agree to maintain peaceful and friendly relations between them and to respect each other's territorial integrity and inviolability.

Article 2. In case either one of the High Contracting Parties becomes an object of military action by one or more third Powers, the other Party shall observe neutrality throughout the entire period of such a conflict.

Article 3. The present Pact shall be enforced from the day of the completion of its ratifications by both High Contracting Parties, and it shall be valid for the period of five years. In case either one of the High Contracting Parties does not give notice of its abrogation a year before the expiration of the said period, the Pact shall be regarded as having automatically been prolonged for the next five years.

Article 4. The present Pact shall be ratified as soon as possible. An exchange of ratifications shall take place in Tokyo as soon as possible.

Simultaneously with the signature of the Pact the Governments of Japan and the Soviet Union issued a Joint Declaration to the following effect:

The Government of the Japanese Empire and the Government

of the Union of Soviet Socialist Republics, in order to assure the peaceful and friendly relations subsisting between them on the basis of the spirit of the Neutrality Pact concluded between the two countries, respect, on the part of the Japanese Empire the territorial integrity and inviolability of the People's Republic of Mongolia, and on the part of the Union of Soviet Socialist Republics the territorial integrity and inviolability of the Empire of Manchoukuo.

## II

—Statement of the Prime Minister, Prince Fumimaro Konoe,  
April 13, 1941—

The Japanese Government some time ago made public both at home and abroad their unalterable determination, by concluding the Tripartite Pact between Japan, Germany and Italy to prevent a world-wide spread of war and to secure the peace of Greater East Asia with that Pact as the axis of the country's foreign policy. It goes without saying that, in order to realize such a purpose, it is essential that Japan and the Soviet Union, which are neighbours in the Far East, should strengthen their peaceful and friendly relations on a lasting basis, reinforcing thereby the spirit of the said pact of alliance. With this conviction, the Government have, for some time, been conducting negotiations with the Soviet Government with a view to bringing about a fundamental adjustment of Japan's relations with the Soviet Union. With the present visit to Moscow of the Foreign Minister, Mr. Yosuke Matsuoka, as a turning point, the conversations between the two Governments have made rapid progress, resulting in the signing today, April 13, of the Pact of Neutrality between the Foreign Minister, Mr. Yosuke Matsuoka, and the Ambassador, Lieutenant-General Yoshitsugu Tatekawa, and the Soviet Commissar for Foreign Affairs, Mr. Viacheslav Molotov, which has just been announced. At the same time the Joint Declaration by the two countries has been issued through which Japan respects the territorial integrity and inviolability of the People's Republic of Mongolia and the Soviet Union respects the territorial integrity and inviolability of Manchoukuo, thereby expecting to bring tranquillity to the Manchoukuo-Soviet and Manchoukuo-Outer Mongolian borders.

It is my belief that the present Pact has an epoch-making significance in the relations between Japan and the Soviet Union and that it will greatly contribute toward the promotion of world peace. I have no doubt that the Pact will serve as a basis for speedy solution in a concrete manner of various pending questions between the two countries.

## CONCERNING THE PARTICIPATION OF JUGOSLAVIA IN THE THREE-POWER PACT

—Announcement by the Board of Information on March 25, 1941—

Following the participation a short time ago of Hungary, Rumania, Slovakia and Bulgaria in the Three-Power Pact, Yugoslavia has also decided to join, and the Protocol concerning her participation was signed on March 25, at the Belvedere Palace in Vienna between the Plenipotentiaries of Japan, Germany and Italy and the Plenipotentiary of Yugoslavia. The contents of the Protocol are exactly similar to those of the participation of Hungary and others. In view of the fact that Yugoslavia is an influential nation in the Balkans and her course of action has for some time past attracted attention, her participation in the Tripartite Pact has great diplomatic significance. It is not, therefore, too much to say that the trend of the Balkan situation has now become definitely clear. With the historic visit of the Foreign Minister, Mr. Yosuke Matsuoka, to Berlin to take place tomorrow, we can well imagine the gratification of the peoples of Germany and Italy—a fact which is to be sincerely congratulated upon.

Since 1924, Japan has maintained friendly relations with Yugoslavia through her Minister to Rumania who was concurrently her Minister to Yugoslavia, but at present the Japanese Minister to Hungary is in charge of the matters pertaining to the relations between Japan and Yugoslavia. Needless to say, the cordial relations between Japan and Yugoslavia will become increasingly closer through the latter's participation in the Three-Power Pact.

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